

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MARTIN CREUTZ, individually and on :
 behalf of all others similarly situated, :
 :
Plaintiff, :
 :
 vs. :
 :
 CARESPRING HEALTH CARE :
 MANAGEMENT, LLC, :
 :
Defendant. :

Case No. 1:24-cv-447

Judge Jeffery P. Hopkins

ORDER

This matter is before the Court on the Unopposed Motion to Consolidate (Doc. 6) filed by Plaintiffs Martin Creutz, Phyllis Rice, Bonnie Cogswell, Kathy Valentine, and Tiffany Callahan, II, and Defendant's Unopposed Motion to Stay Responsive Pleading Deadlines Pending Consolidation and Filing of Consolidated Complaint (Doc. 9). Plaintiffs have moved to consolidate the following related actions, all of which are pending before this Court: *Creutz v. Carespring Health Care Management, LLC*, No. 1:24-cv-447; *Glass v. Carespring Health Care Management, LLC*, No. 1:24-cv-450; *Cogswell v. Carespring Health Care Management, LLC*, No. 1:24-cv-454; and *Valentine, et al. v. Carespring Health Care Management, LLC*, No. 1:24-cv-481.

A trial court has the discretion to consolidate two or more cases when each involves a common question of law or fact. *See* Fed. R. Civ. P. 42; *Cantrell v. GAF Corp.*, 999 F.2d 1007, 1011 (6th Cir. 1993) (citation omitted). It is appropriate for this Court to exercise that discretion here because these cases involve common questions of law and fact relating to a data breach. Consolidation of these cases, and any future actions involving the same or similar

facts and circumstances that are filed or transferred to this Court, will promote judicial efficiency, avoid unnecessary cost and delay, and ensure consistent adjudications.

Accordingly, Plaintiffs' Motion to Consolidate (Doc. 6) is **GRANTED**. It is therefore **ORDERED** that *Glass v. Carespring Health Care Management, LLC*, No. 1:24-cv-450, *Cogswell v. Carespring Health Care Management, LLC*, No. 1:24-cv-454, and *Valentine, et al. v. Carespring Health Care Management, LLC*, No. 1:24-cv-481, are consolidated for all purposes with the first filed action, *Creutz v. Carespring Health Care Management, LLC*, No. 1:24-cv-447 (the "Consolidated Action"). Each new case that is filed or transferred to this Court that involves the same or similar common questions of law and fact as the Consolidated Action shall be consolidated with the Consolidated Action, unless a party timely objects to consolidation.


Additionally, upon agreement of counsel, it is further **ORDERED** that:

1. Counsel for Plaintiffs shall seek appointment as interim class counsel pursuant to Fed. R. Civ. P. 23(g)(3) within 14 days of this Order;
2. Plaintiffs shall file a consolidated amended complaint within 30 days of the Order Appointing Interim Class Counsel; and,
3. Defendant shall have 45 days from the filing of the consolidated amended complaint to file a motion to dismiss, Plaintiffs shall have 30 days thereafter to file their opposition, and Defendant shall have 21 days thereafter to file a reply in support.

As a result of the foregoing, Defendants' Unopposed Motion to Stay Responsive Pleading Deadlines (Doc. 9) is also **GRANTED**. The responsive pleading deadline for all related actions is stayed until 45 days from the filing of the consolidated amended complaint.

IT IS SO ORDERED.

October 2, 2024


Jeffery P. Hopkins
United States District Judge